



**Town of Fairview
Regular Meeting
March 13, 2017**

The following Council members were present: Mayor Phil Thomas, John Biggers, Jerry Clontz, Bradley Purser, and Gary Wilfong.

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer, Ed Humphries, Land Use Administrator / Deputy Clerk and Teresa Gregorius, Town Clerk

Agenda Changes

None

Approval of Agenda

Bradley Purser made a motion to approve the agenda. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser, and Wilfong voted yes (4-0).

Public Comments

None

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Accept CRTPO Report as Information
- d) Approve Council Regular Minutes for February 13, 2017

Jerry Clontz made a motion to approve the consent agenda. Gary Wilfong seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Items of Business

Item 1: Conduct Public Hearing for Text Amendment Change #TC 17-003

Ed Humphries explained the Text Amendment Change #TC 17-003 which is a request to add the following use to the Table of Uses in The Fairview Land Use Ordinance the Use: **“Truck Body Fabrication”** Permitted in the following zone by the requirement of “Condition Use Permit” RA-40 (C), HC (C), and by right (Z) in LI. Definition: ‘Truck Body Fabrication’: To make by assembling parts or sections of truck beds to be mounted on truck chassis.

Councilman Purser made a motion to recuse himself from Items of Business #1, 2, 3 and 4 on the agenda because (1) the applicant is my third cousin, (2) the property borders my property and (3) that applicant and I use the same driveway. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Mayor Thomas to open Public Hearing

The following residents spoke against the text amendment change:

Carolyn Creasy
Janet Gerardot-Stipp
Shirese Palmieri
Amy Harris
Frank McKee
Sara & Dave Furr
Scott Hinkleman

Mayor Thomas closed the Public Hearing

Item 2: Discuss Text Amendment Change #TC 17-003

Council discussed the text amendment change.

Jerry Clontz made a motion to NOT approve text amendment change #TC 17-003 to add to the Table of Uses in The Fairview Land Use Ordinance the Use: **“Truck Body Fabrication”** Permitted in the following zone by the requirement of “Condition Use Permit” RA-40 (C), HC (C), and by right (Z) in LI. Definition: ‘Truck Body Fabrication’: To make by assembling parts or sections of truck beds to be mounted on truck chassis to include the zoning statement: “The proposed zoning amendment under consideration is not found to be reasonable and consistent with the recommendations of the Town’s adopted comprehensive plan, the Town of Fairview Land Use Plan (Revised August 11, 2014), and the Town of Fairview Land Use Ordinance (effective July 1, 2005)”. John Biggers seconded the motion. Councilmen Biggers, Clontz, and Wilfong voted yes (3-0).

Item 3: Conduct Public Hearing for Conditional Use Permit

The public hearing for the Conditional Use Permit was not needed because the text amendment change #TC 17-003 was not approved.

Item 4: Approve Conditional Use Permit #CUP -17-004

Approval of CUP-17-004 was not needed because the text amendment change #TC 17-003 was not approved.

Item 5: Renew Order granting Temporary Permit # TP 14-037

Ed Humphries presented the renewal of the temporary permit # TP 14-037 for six months (new permit will expire September '17) in the name of Gregory Morgan, 6508 Morgan's Cove Road, Monroe, NC 28110 to add a manufactured home to his property (Parcel #08192012) for the purpose of caring for a relative—under Section 179 of the Fairview Land use Ordinance.

Jerry Clontz made a motion to renew the temporary permit # TP 14-037 for six months to expire September 2017. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Item 6: Discuss Land for Fire Department

Eric Freeman, Fairview Fire and Rescue, provided the Council with a conceptual site plan for the proposed addition to the fire department for use in housing fire trucks. This plan will require .71 acre of property owned by the Town of Fairview. The Fairview Fire and Rescue asks that the Town of Fairview give the fire department .71 acre of property. The Council discussed.

John Biggers made a motion to approve giving Fairview Fire and Rescue .71 acre of property and also agree to an easement if or when needed for an additional sewer drain field when the fire department remodels their present building. Gary Wilfong seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Item 7: Park Update

Jerry Clontz updated the Council on the park construction progress:

- Eagle Wood Inc. has put a stop work order on the park until Union County turns the water on. The water meter is now in and we are waiting on Union County to inspect it. Once the water is turned on, Eagle Wood will be ready to do the walk-thru and produce the punch list.
- Plans for the April 29th grand opening are being finalized.
- Mr. Clontz asked Brian Austin to mow and weed eat around the pond edge.
- Eagle Wood Inc. has locked the gate until the park is completed and turned over to the Town.

Mr. Clontz presented the three bids received for the park maintenance contract from Refined Outdoors for \$2,068,75 per month; Tucker Lawn Care for \$2,300.00 per month; and Brian Austin for \$3,800.00 per month. The Council discussed the contracts.

Gary Wilfong made a motion to give the park maintenance contract to Refined Outdoors for \$2,086.75 per month for a one year period. Jerry Clontz seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Mr. Clontz presented the two bids received from Cash Grading Company, Inc. (\$39,200.00) and Garcia Forest Service (\$43,450.00) for clearing the trees that had been marked around the park. The Council discussed the bids.

John Biggers made a motion to approve the bid from Cash Grading Company, Inc. for \$39,200.00. Gary Wilfong seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Gary Wilfong made a motion to approve the ninth (\$8,953.50) and tenth (\$66,723.63) Applications and Certificates for Payment to Eagle Wood Inc. Jerry Clontz seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Council Comments

Gary Wilfong stated that the Festival Committee has been waiting to see how things went with the park, but anticipate setting the festival for the end of September or first part of October.

Bradley Purser asked if the contractor working on the park had asked for any additional extensions. Mr. Clontz stated there had been no additional extensions requested.

Mr. Purser asked where the noise ordinance regarding jake brakes stood. Attorney McCollum stated that he had attempted to contact the sheriff department attorney and would try again.

Mr. Purser stated that although the upcoming retreat has already been set he would like to request having it at a different location and not in the Council Meeting room.

Jerry Clontz thanked the citizens in attendance for their comments and orderly behavior.

Mayor Thomas also thanked the citizens and encouraged them to attend future Council meeting. Mayor Thomas also reminded the Council of the Retreat scheduled for March 25th. Also he noted that there is a Union County Public Health Strategic Planning meeting on March 21st from 11:30 till 1:00 with lunch provided.

Jerry Clontz made a motion to adjourn. Bradley Purser seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this 10th day of April, 2017